

### § 153.127 AMENDMENTS AND CHANGES.

(A) The Council may, from time to time, on its own motion or on petition, amend, supplement or change by ordinance the regulations and districts herein or subsequently established, but no such amendments shall be made without a public hearing before the Plan Commission and its report to the Council. Notice of the time, place, and purpose of the hearing shall be given as required by law. In the case of written protest against any proposed amendment, under the conditions specified in ILCS Ch. 65, Act 5, § 11-13-14, the amendment shall not be passed except by a favorable vote of 2/3 of the Council.

(B) All petitions praying for a change, amendment or supplement of the established zoning districts of the city and regulations connected therewith shall be filed by the person requesting such action and such petition shall contain the street address of the petitioner, and lot number of any real estate owned by the owner adjacent to the area proposed to be changed and shall also contain an accurate legal description of the district or part of districts proposed to be so altered. Such petition shall also recite facts indicating that the proposed change will not be detrimental to the general public interest and the purposes of this title and shall further disclose the purpose for which such property is sought to be used.

(C) A petition for a change in the regulations or districts herein or subsequently established shall be filed with the City Clerk in duplicate. A fee of \$100 shall be paid at the time of filing to cover the cost of publication of notice of hearing on said petition and other costs incidental to such hearing. The Council may at its discretion and upon request of the petitioner waive or reimburse this fee.

(D) Provided, however, that if any such development plan shall be designed or intended for multiple-family dwelling use, involving more than 50 dwelling units, the requirements of §§ 153.001

through 153.127 with respect to lot area per family may be waived, and the plan approved without respect to lot area per family.

(1963 Code, § 10-19-2) (Ord. 590, passed 6-26-1958; Am. Ord. 701, passed 1-24-1966; Am. Ord. 790, passed 6-22-1970; Am. Ord. 1258, passed 6-25-1990; Am. Ord. 1277, passed 1-7-1991; Am. Ord. 1350, passed 11-17-1992)

### SUBDIVISIONS

#### § 153.145 TITLE AND PURPOSE.

(A) This subchapter shall be known, referred to and titled as the Land Subdivision Ordinance of the City of LaSalle.

(B) This subchapter is hereby made a part of the official plan of the city and is to provide for the harmonious development of the city and its environs, for the coordination of streets within subdivisions with other existing or planned streets or with other features of the official plan, for adequate open spaces for traffic, schools, recreation, light and air, and for a distribution of population and traffic which will tend to create conditions favorable to health, safety, convenience or prosperity.  
(Ord. A-590, passed 9-15-1958)

#### § 153.146 DEFINITIONS.

For the purpose of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**COMMISSION.** The City Planning Commission of LaSalle.

**FINAL PLAT.** The drawings and documents described in § 153.150(A) and § 153.151(B).

**MAJOR STREET.** A street shown on the major street plan, a part of the official plan.

**PRELIMINARY PLAN** The drawings and documents described in § 153.149(A).

**SUBDIVISION OF LAND. SUBDIVISION OF LAND** is the division of land into 2 or more lots, parcels or tracts of 1 acre or less in area; or the dedication of streets, ways or other areas for the use of the public. Any sale of a division of land by metes and bounds as defined in the preceding portion of this paragraph shall constitute a subdivision of land and require, prior to any sale and before the delivery of a deed, the submission of a plat as required by law; provided, however, that the sale or exchange of parcels of land to or between adjoining property owners, where such sale or exchange does not create additional lots, shall not be considered as a subdivision of land, and provided further, that a contract of sale requiring conformity with this subchapter may be entered into.  
(Ord. A-590, passed 9-15-1958)

#### § 153.147 JURISDICTION AND PROCEDURE.

(A) *Plat, when required.* It shall be unlawful for the owner, agent or person having control of any land within the corporate limits of the city or within 1½ miles of the its corporate limits, to subdivide or lay out such land into lots, blocks, streets, avenues, alleys, public ways, and grounds, unless by plat in accordance with the laws of the State of Illinois and the provisions of this ordinance.

(B) *Preliminary plan to be approved.* A preliminary plan shall first be submitted to the Commission for its consideration as hereinafter provided. The commission shall report its findings and recommendations in writing to the Council for its consideration and approval or disapproval. The design and layout of all subdivisions shall conform to the requirements of § 153.148. The subdivider shall submit a preliminary plan to the Commission prepared in accordance with the specifications of § 153.149.

#### (C) *Requisites for approval.*

(1) Following approval of the preliminary plan by the Commission and the Council, the subdivider shall:

(a) Install the required improvements and;

(b) Furnish a bond for such installation and;

(c) Agree to an assessment guaranteeing such installations, all in accordance with the requirements of § 153.150.

(2) Upon approval of the improvements, installations or arrangements therefore, the final plat may be submitted in accordance with the provisions of § 153.151. The final plat shall conform to the requirements of § 153.151.

(3) No plat or replat shall be filed for record or recorded in the office of the Recorder of Deeds of LaSalle County, Illinois unless and until the approval of the Council is endorsed thereon by the City Clerk, and no lot shall be sold from such plat or replat unless and until approved by the Council and filed for record in the office of the Recorder of Deeds of LaSalle County, Illinois as herein provided.  
(Ord. A-590, passed 9-15-1958)

#### § 153.148 SUBDIVISION DESIGN STANDARDS.

(A) *Relations to adjoining street system.* The arrangement of streets in new subdivisions shall make provision for the continuation of the existing streets in adjoining areas (or their proper projections where adjoining land is not subdivided) insofar as they may be deemed necessary for public requirements. The width of such streets in new subdivisions shall not be less than the minimum widths established herein. The street and alley arrangements shall not be such as to create hardship for owners of adjoining property in platting their own land and providing convenient access to it. Off-set streets shall be avoided. The

angle of intersection between minor streets and major streets shall not vary by more than 10 degrees from a right angle. Streets obviously in alignment with existing streets shall bear the names of the existing streets. Proposed street names that are in conflict with existing street names shall not be approved.

(B) *Street and alley width.*

(1) The widths and locations of major streets shall conform to the widths and locations designated on the major street plan.

(2) The minimum width for major streets shall be 50 feet. When streets adjoin subdivided property, a half street at least 30 feet in width may be dedicated, and whenever subdivided property adjoins a half street the remainder of streets shall be dedicated.

(3) Alleys shall not be provided in a residential block. Alleys are required in the rear of all business lots and shall be at least 20 feet wide.

(C) *Easements.* Easements of at least 5 feet in width shall not be provided and dedicated on each side of all rear lot lines and along side lot lines, where necessary for poles, wires, conduits, storm and sanitary sewers, gas water or other mains. Basements of greater width may be required along or across lots where necessary for the extension of main sewers of other utilities or where both water and sewer lines are located in the same easement.

(D) *Blocks.*

(1) No block shall be longer than 1,200 feet or shorter than 500 feet between cross streets. Blocks over 1,000 feet in length shall have a cross-walk with a right-of-way of at least 10 feet in width near the center of the block.

(2) In platting residential lots containing less than 15,000 square feet, the depth of the block shall be between 200 feet and 300 feet.

(3) Subdivisions need not follow normal street arrangement. Courts, dead end streets, or other arrangements, may be provided if proper access is given to all lots from a dedicated street or court. All dead end streets shall terminate in a dedicated street space having a minimum radius of 50 feet. Dead end street shall not exceed 1,000 feet in length.

(E) *Lots.*

(1) The lot arrangement and design shall be such that all lots will provide satisfactory and desirable building site, properly related to topography and the character of the surrounding development.

(2) All side lines of lots shall be at right angles to straight street lines and radial to curved street lines except where a variation of this rule will provide a better street and lot layout. Lots with double frontage shall be avoided.

(3) No lot shall have a depth of less than 100 feet or a depth in excess of 3 times its width. No lot shall have an area or width less than that required by any zoning ordinance adopted as part of the official plan.

(4) Corner lots shall have extra width sufficient to permit the establishment of front building lines on both the adjoining streets.

(5) Lots fronting on major street intersections and acute angle intersections of less than 85 degrees shall have a radius of 20 feet at the street corner. On business lots a chord may be substituted for the circular arc.

(F) *Building lines.* Street set back building lines conforming with zoning regulations or the standards of the official plan shall be shown on all lots.

(G) *Maintenance of improvements outside corporate limits.* Where a subdivision outside the corporate limits contains sewers, sewage treatment plants, water supply systems, park areas, street trees or other physical facilities necessary or desirable for

the welfare of the area and which are of common use or benefit and which the city does not desire to, or cannot maintain, provision shall be made by trust agreements made a part of the deed restrictions acceptable to the city, for the proper and continuous maintenance and supervision of facilities by the lot owners in the subdivision.

(H) *Parks, schools sites, etc.*

(1) Where an area being subdivided includes lands proposed to be used for parks or schools, under the duly adopted official plan of the city, the subdivider shall dedicate such lands to the proper public agency as a part of subdivision plat; provided, however, that such dedication need not exceed 7½ % of the total area of the subdivision plat. Where such land exceed 7½ % of the total area of the subdivision plat, the part of such lands in excess of 7½ % of the total area shall also be shown on the plat and arrangements made for purchase of such lands by the proper public agency in a period of not less than 3 years from the date of approval of the plat, said purchase to be consummated within 3 years from the date approval of final plat.

(2) Where less than 7½ % of an area being subdivided consists of land proposed for parks or schools under the official plan, the subdivider shall dedicate any lands so proposed and pay the city a sum of money so that either or both the dedication and the payment equal 7½ % of the appraised value of the land before it is subdivided. Sums so received shall be placed in a special fund to be known as the Subdivision Park and School Site Purchase Fund and used by the Council solely for purchase of land for parks or schools in accordance with the official plan and after receipt of recommendations of the Commission. Value of the land shall be made by 3 qualified appraisers, 1 of whom shall be appointed by the Council, 1 of whom shall be appointed by the subdivider and 1 of whom shall be mutually agreed upon by the 2 appraisers named above. The subdivider may agree with the city on an installment method of payment based on the sale of the lots.

(I) *Easements along streams.* Whenever any stream or important surface drainage course is located in any area which is being subdivided, the subdivider may provide an adequate easement as determined by the City Engineer along each side of the stream for the purpose of widening, deepening, sloping, improving or protecting the stream.  
(Ord. A-590, passed 9-15-1958)

**§ 153.149 PRELIMINARY PLAN.**

(A) *Preliminary, where filed, exception.* Any person proposing to subdivide land shall file 3 copies of a preliminary sketch plan of such proposed plat with the City Attorney. The preliminary sketch plan shall be accompanied by a filing fee of \$1 for each lot within the proposed subdivision, providing that the subdivision does not consist of less than 10 lots in which case a minimum filing fee of \$10 shall be required. Hearing on such proposal shall be had before the Commission at its first regular meeting following the filing, provided only that notice of the consideration of such plan and the time and place of hearing shall be given to all interested persons as hereinafter provided. Plats containing 3 lots or less and not more than 1 acre may be exempted from the provisions of this section, upon application to the Commission.

(B) *Notice of hearing.* No hearing shall be held by the Commission until notice thereof shall have been given by the City Attorney in behalf of the Commission, by publication of notice of the hearing in the daily newspaper for at least 1 insertion, a week prior to the date of said hearing, and by mailing a notice to the person or persons who filed the preliminary plan to the address set forth in the filing papers.

(C) *The preliminary plan shall show the following.*

(1) The location of the present property lines and section lines and streets, buildings, water courses and other existing structures with the area to be subdivided and similar information regarding land immediately adjacent thereto.

(2) The proposed location and width of streets, alleys, lots, building and set back lines and easements.

(3) Existing sanitary and storm sewers, water drains, culverts, and other underground structures within the tract or on streets immediately abutting thereto; the location and size of the nearest water main and sewer outlet.

(4) The title under which the proposed subdivision is to be recorded and the name of the engineer, the registered land surveyor, and the subdivider of the plat.

(5) Contours referred to the city datum with 2 feet or less.

(6) The north point, scale and date.

(7) Plans or written and signed statements setting out the grads or profiles of the streets, the proposed grades and facilities for all required improvements and the subdividers proposal to the city for accomplishing their installation in accordance with § 153.150.

*(D) Approval or preliminary plan.*

(1) If, upon hearing, the Commission shall find such proposed plan to satisfy the requirements of this subchapter, it shall approved the plan and recommend final approval by the Council upon complying with the requirements of § 153.150 and submitting a final plan in accordance with § 153.151.

(2) If, upon hearing, the Commission shall find that such proposed plan does not satisfy the requirements of this subchapter, it shall specify in writing in the minutes of the hearing such objections as are found to such plan and may recommend the disapproval of such proposed plan, or recommend approval conditioned upon specific changes in the proposed plan, removing such objections and further compliance with § 153.150 and § 153.151.

(3) One copy of the proposed plan, together with a copy of the findings of the Commission upon hearing, shall be filed by the Commission with the City Clerk and by the City Clerk submitted to Council as provided in § 153.147(B). One copy of the proposed plan and findings shall be retained by the Commission and 1 copy and findings shall be given the person offering the proposed plan, together with certificate of approval or disapproval of the Commission, City Engineer and Council. (Ord. A-590, passed 9-15-1958)

**§ 153.150 MINIMUM IMPROVEMENTS.**

*(A) Authority to proceed with final plat.* Receipt by the subdivider of the copy of the preliminary plan together with the approval of the Commission, City Engineer and Council, shall constitute authority for the subdivider to proceed with the final plans and specifications for the installation of the required improvements and preparation of the final plat. Prior to the construction of any required improvements the subdivider shall submit such final plans and specifications to the City Engineer. If the City Engineer shall find such plans and specifications to be in accordance with applicable policies and standards of the city, he or shall authorize construction and determine the amount of bond, if required. Following the approval of the City Engineer, construction may be started, the bond filed, and or an assessment provided.

*(B) Requirements for approval of final plat.* No final or official plat of any subdivision shall be approved unless:

(1) The subdivider agrees with the city that the city under the Local Improvement Act may construct improvements listed hereafter and assess the cost thereof against the property benefitted.

(2) The improvements listed hereafter have been installed prior to such approval, or

(3) The subdivider shall have filed with the Council a surety bond to insure the construction of the improvements listed in this section in a satisfactory manner and within the period specified by the Council, such period not to exceed 2 years. No such bond shall be accepted unless it be enforceable by or payable to the city in a sum at least equal to the cost of constructing the improvements as estimated by the City Engineer, and in form with surety and conditions approved by the City Attorney.

(C) *Installation of part of improvements.* The owner of a tract may prepare and secure approval of preliminary subdivision plan of an entire area and may install the required improvements only in a portion of such area, but the improvements must be installed or provision for their installation in any portion of the area for which a final plat is approved for recording; provided, however, that water mains, storm sewers, trunk sewers and any sewage treatment plants shall be designed and built to serve the entire area planned by the subdivider or designed and built in such manner that they can easily be expanded or intended to serve the entire area; and provided further that the requirements of division (H) have been met.

(D) *Survey monuments.* All subdivision boundary corners and the centers of all street intersections shall be marked with permanent survey monuments. All points of tangency and points of curvature of all curves shall be marked with permanent monuments. A permanent monument shall be deemed to be concrete with brass rod center at least 8 inches long with a minimum dimension of 4 inches extending below the frost line. Should conditions prohibit the placing of monuments on the line, off-set markings will be permitted, provided, however, the exact off-set courses and distances are shown on the subdivision plat. Iron pipes or steel rods shall be set at all lot corners.

(E) *Street improvements.* All street and public ways shall be graded the their full width, including side slopes, and to the appropriate grad and shall be surfaced in accordance with applicable standard specifications of the city. Such construction shall be subject to inspection and approval by the City Engineer.

(F) *Sidewalks.* Concrete sidewalks shall be constructed along at least 1 side of every street shown on the plat in accordance with applicable standard specifications of the city, except that concrete sidewalks shall be constructed along both sides of all major streets; and provided, however, that where the property is platted in lots having an area of at least 20,000 square feet and a width of at least 100 feet, the Council may waive those requirements. Location of all sidewalks shall be shown on final plats.

(G) *Water lines.* Where a pubic water supply approved by the city is reasonably accessible, each lot within the subdivision area shall be provided with a connection to such water supply, the water to terminate not less than 2 feet inside of curb line or easement line. Fire hydrants shall also be installed in all subdivisions, with a maximum spacing of 600 feet. In proposed subdivisions outside the city limits, pending availability of a public water supply, the subdivider may be required to construct wells or a private water supply system in such a manner that an adequate supply of potable water will be available to every lot in the subdivision at the time improvements are erected thereon. The information furnished and approval of the same shall comply with the requirements of the State Health Department. The water supply system shall be constructed under the direction and control of, and all construction shall be subject to the approval of, the City Engineer.

(H) *Sanitary systems.*

(1) In all areas where a public sanitary sewer is reasonably accessible, each lot within the subdivided area shall be provided with a connection to the sanitary sewer, said sewer connection to terminate not less than 2 feet inside curb line or easement line. All connections to a city sewer system and the subdivision sewer system shall comply with the ordinances of the city pertaining to sewers and all construction shall be subject to the approval of the City Engineer of the municipality involved.

(2) In proposed subdivisions beyond the city limits in which the lots are less than 1 acre in area, where a public sanitary sewer is not reasonably

accessible but where plans for the installation of sanitary sewers in the vicinity of the subdivision to install sewers in conformity with such plan. In such cases, until a connection can be made with the public sewer system, the use of a sewage treatment plant will be permitted, provided such disposal facilities are constructed in accordance with the ordinances of the city pertaining to sanitary sewage disposal.

(3) In proposed subdivisions in which the lots are less than 1 acre in area where sewers are not accessible and no plans for sewers have been prepared, the subdivider may be required to install sewer lines and a disposal system in accordance with the requirements of division (H)(2), or if the subdivision has been platted in to lots having a minimum width of 100 feet and an average area of 20,000 square feet or more, he or she may install individual disposal devices for each lot at the time improvements are erected thereon. However, if the subdivider shall decide to provide individual aeration septic systems on each individual lot, then the subdivision may be platted in to lots having a minimum width of 100 feet and an average area of 15,000 or more. All such individual sewage disposal systems shall be constructed in accordance with regulations and requirements of the State Health Department and under the direction and control of and approval of the City Plumbing Inspector. (Am. Ord. 944, passed 8-21-1978)

(I) *Drainage.* The plat shall be laid out so as to provide proper drainage of the area being subdivided. Drainage improvements shall maintain any natural water-course and shall prevent the collection of water in any low spot. A storm sewer system, approved by the City Engineer shall be provided. (Ord. A-590, passed 9-15-1958)

#### § 153.151 FINAL PLAT.

##### (A) *Final plat, submit to Council.*

(1) The final plat shall consist of an accurate map or plat designating specifically the land so laid out and particularly describing the lots, blocks, streets avenues, alleys, public ways or other portions

of the same intended to be dedicated for public use or for the use of the purchasers or owners of lots fronting thereon or adjacent thereto.

(2) The final plat on tracing cloth and 5 prints thereof together with copies of any deed restrictions where such restrictions are too lengthy to be shown on the plat, shall be submitted to the Commission. The final plat shall be drawn to a scale not more than 100 feet to the inch from an accurate survey and on 1 or more sheets whose maximum dimensions shall not exceed 24 inches by 36 inches. If more than 2 sheets are required, an index sheet of the same dimensions shall be filed showing the entire subdivision on 1 sheet and the component areas shown on other sheets.

(3) When the final plat conforms to the approved preliminary plan and the requirements of § 153.150 and other requirements have been accomplished, certification of this effect endorsed on the final plat by the Chairperson of the Commission and the final plat submitted to the Council for its approval or disapproval. Where the plat does not conform to the approved preliminary plan, the Commission shall submit its recommendations to the Council for approval or disapproval on the final plat. The Council shall not disapprove any plat which is basically in accord with the pre-approved preliminary plan for the same subdivision.

(B) *Information required.* The final plat and accompanying documents shall show:

(1) The boundary lines of the area being subdivided with accurate distances and angles. The corresponding legal description of the property being subdivided shall be shown on the plat, or on the accompanying certificate.

(2) The lines of all proposed streets and alleys and their widths.

(3) The accurate outline of any portions of the property intended to be dedicated or granted of public use.

(4) The line of departure of 1 street from another.

(5) The lines of all adjoining property and the adjoining streets with their widths and names.

(6) All lots shall be designated by numbers or letters and streets, avenues and other grounds by letters or numbers.

(7) The location of all easements provided for public use, services or utilities.

(8) All dimensions, both linear and angular, necessary for locating the boundaries of the subdivisions, lots, streets, alleys, easements, and other areas for public or private use. Linear dimensions are to be given to the nearest 1/100 of a foot.

(9) The radii, arcs or chords, points of tangency and center angles for a curvilinear streets and radii and rounded corners.

(10) The location of all survey monuments and their descriptions.

(11) The name of the subdivision and the scale of the plat, points of the compass, the name of the owner, owners or subdividers.

(12) The certificate of a registered Illinois Land Surveyor attesting the accuracy of the survey and the correct location of all monuments shown.

(13) Private restrictions and trusteeships and their periods of existence. Should these restrictions or trusteeships be of such length as to make their lettering on the plat impracticable and thus necessitate the preparation of a separate instrument, reference to such instrument shall be made on the plat.

(14) Calculations showing the error of linear closure which error shall in no case be greater than 1 in 5,000.

(15) Acknowledgement of the owner or owners to the plat, and restrictions including dedication to public use of all streets, alleys, parks or other open spaces shown thereon and the granting of easements required.

(16) Certificate of approval by the Council for endorsement by the City Clerk.

(C) *Acknowledgments.* Such plat and any accompanying documents shall be signed and acknowledged by the owner or owners of the land subdivided in the same manner and form as the acknowledgement of a deed conveying real estate, before some officer authorized to take the acknowledgement of deeds and shall contain a dedication of the streets, alleys and public grounds therein to the use and benefit of the public.

(D) *Surveyor's certificate.* The plat shall have appended thereto a survey made by a Registered Illinois Land Surveyor, with a certificate attached certifying that he or she has accurately surveyed such subdivision and attested to the accuracy of the survey and the correct location of all monuments shown, and that the lots, blocks, streets, avenues, alleys, public ways and grounds, and other grounds are well and accurately staked off and marked.

(E) *Approved plat filed with Recorder of Deeds.* When such map or plat is so prepared, acknowledged and certified, and has been approved by the Council, the same shall be filed and recorded in the office of the Recorder of Deeds, LaSalle County, Illinois, and thereupon such plat shall be equivalent to and operate as a deed in fee simple to the city from the owner of all streets, avenues, alleys, public ways and grounds and of such portions of lands as therein are set apart for public and city use.  
(Ord. A-590, passed 9-15-1958)

## § 153.152 EXCEPTIONS.

Whenever the tract to be subdivided is of such unusual size or shape or is surrounded by such development or unusual conditions that the strict